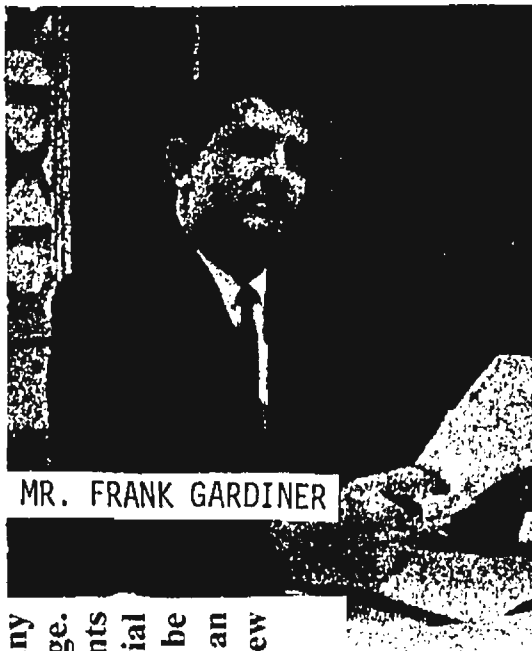


(THEN LEADER OF THE OPPOSITION) DELIVERED AT THE STAR THEATRE, MAROOCHYDORE, MONDAY, 1 JULY 1957.

"The fundamental essentials of democracy are the freedom of the people to choose in accordance with sound democratic principle the government they desire; freedom of speech, expression, and association; freedom of religion; freedom from want and freedom from fear.

For the preservation of the things we hold dear, and for which our ancestors spilt their blood, we undertake that, if elected to Government, we will as quickly as it is humanly possible take legislative action to entrench in our constitution certain democratic principles which any future Government cannot readily take away."



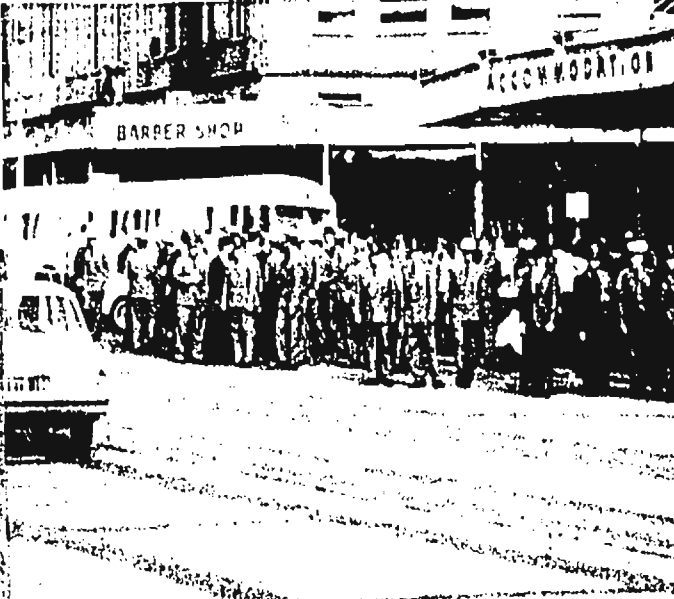
MR. FRANK GARDINER



Friday 8th September 1967 was, to many people, the day that this University came of age. To others, it merely proved University students to be irresponsible larrikins. This special edition of Semper Floreat, the first ever to be sold on the streets, has been produced in an attempt to present the students' point of view to the public.



MR. ALF NUCIFORA



## Freedom of Speech and the Law

The events of Friday 8 September have been thrown at everyone by the Press and television crews, and are widely known. Less well-known are the reasons for the march, and the chain of events leading up to it.

Dissatisfaction with the Queensland Government's attitude towards Civil Liberties has been growing for some time. As long ago as October 1966, a march was held in protest against them. However, as the demonstrators carried placards protesting the Vietnam war, very few people understood that the demonstration was also aimed at the Traffic and Main Roads Regulations.

For the benefit of those readers outside Queensland, these Regulations require that processions must have a permit, whether the procession is to be held on the roadway or on the footpath (there being no difference between them in Queensland law). The District Superintendent of Traffic may grant or refuse this permit as he sees fit, without giving any cause. An appeal may be made to a magistrate, but this takes time. These Regulations therefore give the Police and/or the Government arbitrary powers of censorship over which opinions may be aired in public and which should be suppressed. The Regulations also state that all people carrying placards must have a permit to do so, and must pay a \$1 fee.

These powers are used by the police to impose censorship. This can be shown by their actions during Marshal Ky's visit in January. People who favoured Australia's commitment in Vietnam were treated with courtesy. Those who opposed were liable to arrest.

Dissatisfaction with this state of affairs grew during this year,

largely as a result of Brian Laver's crowd-stirring rhetoric. The Civil Liberties Co-ordinating Committee was set up, with members from a strange assortment of University Clubs and Societies. These included the Student Christian Movement and the Newman Society, as well as the more obvious societies such as the Society for Democratic Action.

The C.L.C.C. made arrangements for a march to the City from the University in protest against the Regulations, to be held on 11 June '67. From the numbers of students attending the meetings that were being held in preparation for this march, it was obvious that a large-scale police-student clash was looming. This prospect alarmed Frank Gardiner, who contacted the Premier. Nicklin agreed to receive a submission on the Regulations, to be prepared by a UQU committee, and the march was postponed to 5 September.

On Monday 4 September, Cabinet announced that a decision would be made on Thursday 7th, and the march was therefore postponed to Friday, after a very confused vote at the Forum on Tuesday. The Thursday decision was totally unacceptable to very many people on campus. The Government made two minor concessions — the removal of the \$1 fee for placards, and the shortening of the period of notice for marches from 14 days to 7 — which were considered by a vast number of students to be totally inadequate.

Angered by this rebuff from the Government, over 3500 people — nearly half the full-time enrolment of the University — decided to march to the City without a permit. And that is why Queensland students were splashed all over Australia's Press on Saturday.

# CIVIL LIBERTY IN QUEENSLAND

# SEMPER FLOREAT

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Registered in Australia for transmission by post as a newspaper.

## SEMPER EDITORIAL

The reports in the Press and on TV stressed the police-student clashes. This is understandable, as these provided spectacular stories, but they tend to detract from the main issue, which is Civil Liberties.

The right to assemble peaceably is one that has long been recognised in democracies. It is contained in the United Nations Charter, and is embodied in the first amendment of the American Constitution. Premier Nicklin, when Leader of the Opposition, recognised this fact when he made his 1957 policy speech.

The intervening nine years in power have seen no effort by the Nicklin Government to fulfill this promise. Repeated approaches to the Premier over the last eighteen months by a group of people concerned for Civil Liberties in Queensland had no effect, and it was only in the face of the threat of direct action by a student march on Tuesday, July 11, that the Premier gave any indication of a possibility of review of the Queensland Government Traffic Regulations covering demonstrations.

At that time, many people felt that the Premier's actions were merely a delaying tactic on the part of the Government, in the hope that issues raised would return to the limbo whence they came.

The attitude of the Premier and Cabinet to the Gardiner Committee proposals seems now to justify this opinion. In spite of the Premier's statements that the proposed amendments would be "pleasing to all reasonable men", it was found that the crux of the Committee's proposals were rejected out of hand.

These proposals were regarded by the Committee as being an absolute minimum. This Committee was widely representative of the community at large and did NOT consist solely of "hot-headed University radicals".

The main proposal rejected by the State Government was that limiting the discretionary powers of the District Superintendent of Traffic. Under the present Regulations, the Superintendent need not give any answer to a request for a permit to hold a demonstration or procession; and he need not give his reasons for the refusal of a request for such a permit. Under the proposed Regulations, the Superintendent must announce his decision within 48 hours, and should give his reasons for any refusal. These reasons would form the basis of any appeal to a magistrate against his decision.

The Premier, in conversation with Mr. Gardiner, indicated that these proposals were not necessary, as generally the Police Superintendent adhered to them under the present legislation. This amounts to a denial of the rule of law by the Premier, a government by delegation instead of legislation.

The march on Friday 8 September contained members of every political and religious group. It was a massive demonstration by citizens of this State of their frustration in the face of Government complacency. Not all those who took part were students. At least three professors marched, together with a large number of lecturers, and members of the general public.

In the face of such a massive demonstration against the Government, the Premier's statements after the march are nothing short of astounding. His straight-out refusal to reconsider amending the Traffic Acts (Telegraph, 11/9/67) is, in the view of many students, a slap in the face for the marchers, and a direct affront to their integrity.

The events of the past two months have caused most of the University community to lose any faith they may have had in the Nicklin Government.

Now that the march is over it is necessary for those of us who were involved — students and staff — to assess how things stand in order that our actions in the future will be reasonable, resolute and effective.

**p.s. — How the hell did a fifty-five year-old track cleaner get involved in all this?**

# reviewed —

Thursday, 7 September, 2 p.m. Premier Nicklin issues statement. Far from being "pleasing to all reasonable men", it incensed President Gardiner and other members of the Gardiner Committee. Honorary office-bearers start to work. Gardiner announces that he will lead march on Friday. Union Spokesman issued.

4.30 p.m. Union Council Chairman, John Geraghty, phones Gardiner with legal points concerning Union Constitution. Permit applied for.

7.30 p.m. Meeting of all interested parties. J. D. Story Room (capacity 100) packed with 250 sweaty people. Combined Committee appointed to organise March, with members of CLCC and Union Executive.

10.00 p.m. Combined Committee meets and votes 8-1 in favour of march without permit.

Friday, 8 September, 9.30 a.m. President Gardiner sees Nicklin. Expresses Committee's dissatisfaction with proposed amendments. Nicklin states agreement "in principle", with entire Gardiner Committee submissions, but prefers government by delegation to government by legislation. Gardiner further incensed. Honorary office-bearers work harder.

12.00 noon. Meeting of marshals for march. Preparations for march completed. Loudspeakers installed for Forum. Permit arrives.

1.00 p.m. Forum begins. Telegrams of support from other Universities and Trade Unions read to 6000 assembled students. 4000 students indicate intention to march in accordance with decision of meeting. Gardiner, Dan O'Neill, Nucifora and Laver address meeting on whether to march with or without a permit. Gardiner announces intention to lead march regardless. Nucifora states he will not march without permit. Meeting votes overwhelmingly to return permit. Final instructions on march from Laver.

1.45 p.m. March sets out from University. No police resistance. Massive spectator support.

2.15 p.m. March passes Regatta, and increases in size.

2.45 p.m. March size estimated by marshals as 3900 by counting files.

3.15 p.m. March reaches end of Coronation Drive. Reporters tired, TV cars very hot. No police resistance as yet. Police road block observed at beginning of North Quay. March detours via Roma Street.

3.30 p.m. Marchers confront Police, corner Makerston and Roma Streets. Police address marchers. Address inaudible, due to spectator noise. Marchers sit on tramlines in orderly fashion and link arms. Police use force to remove marchers. First arrests made. Gardiner forcibly removed to Police Headquarters.

4.00 p.m. Marchers reassemble in King George Square and move on Parliament House. More arrests made. Mitch Thompson arrested. Laver still at large.

4.05 p.m. Marchers reach Parliament House. Laver arrested for alleged insulting language.

Marchers call for Nicklin, absent at Glasshouse Mountains School Sports. Marchers call for anybody. No-one answers. More arrests.

4.30 p.m. Nucifora, Nichols, Doessel and Story see Premier's Secretary.

Marshals decide to call off demonstration. Further arrests. Marchers disperse. Numerous people gather outside Watchhouse to bail out arrested students. Yet more arrests.

4.00 p.m. St. Lucia. First returns from march. Bail fund started. Treasurer Watson in sole command. Press, radio, TV contacted. Favourable response. Further Executive members trickle in.

7.00 p.m. Executive quorum at Watchhouse — inside and out. Money rolling into bail fund. Union switchboard jams after radio and TV news. Assorted Union Councillors striving for release of constituents. Union legal eagles in force at Watchhouse. Wild rumours flying.

7.30 p.m. First student released. Two released girls taken to hospital and treated for shock. Arrested students trickle out of Watchhouse. Union members dispatched to all parts of Brisbane to pick up donations to Bail Fund.

11.00 p.m. NUAUS President McMichael arrives. Bail fund reaches \$1400. Over \$300 collected at Watchhouse. Students

still trickling out. Bail Fund committee takes well-earned rest.

2.30 a.m. Saturday. Nucifora and Treasurer-elect FitzGerald leave Watchhouse. Four students still known to be in Watchhouse.

6.30 a.m. Mitch Thompson released from Watchhouse, with three others.

8.00 a.m. Two forgotten students found languishing in Watchhouse. Released 9.15.

9.30 a.m. President Gardiner and other arrested students and well-wishers assemble at Court House. 48 plead Not Guilty. Two enter no plea. Remanded until Wednesday, 13 September.

10.00 a.m. Union Annual General Meeting commences. President Gardiner apologises for temporary absence.

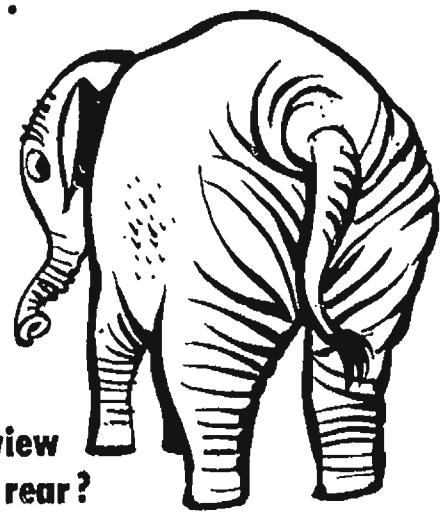
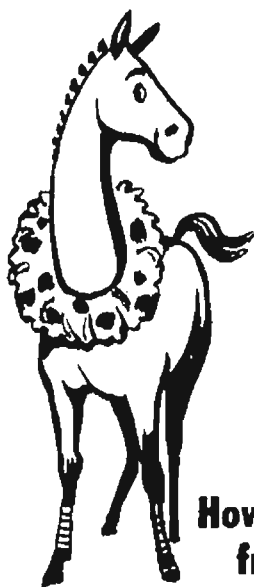
12.15 p.m. Court hearings completed.

5.15 p.m. Annual General Meeting votes funds for this special Semper. Reaffirms previous motion deploring excessive police violence in demonstrations. Expresses satisfaction at march. Gardiner elected Honorary Life Member of the Union.

**Semper expresses its congratulations to Brian Laver for escaping the clutches of the Police until Parliament House was reached.**

**MAN ... you may look like a thoroughbred in front ...**

**BUT ...**



How's the view from the rear?

**EVERY MAN PANTS!**

**But the guy who's really HOT gets his slacks**

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*Peter Wertheim ....*

The first fact it is necessary for us to face, disheartening though it is, is that of the wilfully undemocratic temper displayed by the Nicklin government. Over a period of twenty months this government has ignored, evaded and lied about the issues involved. It has revealed itself as contemptuous of informed opinion wherever that opinion runs counter to its own ignorance and prejudice. It has finished by insulting those like Frank Gardiner who have made every effort to work with it. The best that can be said of this government is that it is seriously lacking in an understanding of the attitudes proper to a democratic government and that it exhibits few signs that it is prepared to develop an adequate understanding. Its foolishness and intransigence make it already chiefly responsible for the march and the events that followed.

Its continued intransigence will make it responsible for the much greater evils that may well follow, if it becomes necessary, in the future, to hold a much larger march.

Further, a petition has been drawn up re-affirming our determination to march again, if necessary, so that it will be abundantly clear to the government where we stand as to the possibility of a future march. Beyond these actions either completed or under way lie a whole battery of possible activities, some of which are as follows. The re-submission to the government of the Gardiner proposals, the approaching of major professional bodies in the state, especially such as Bar Associations, the approaching personally of M.P.'s and leading non-parliamentarians of all parties, the holding of public meetings large and small in different suburbs, the holding simultaneously in a large number of suburbs small (say 10 man plus placards) protest marches, the addressing by us of the police force on our case. These and other activities like them are those we can and will employ in the following weeks.

We are then ready and able to continue the fight but it is our hope that aided by others outside the university we will prevail on the government before it becomes

necessary to resort again to civil disobedience on a scale many times in excess of that of last Friday.

Before the close of this article there is one last group we must address. That group is the Police. We wish to make it quite clear that our central argument has always been with the Nicklin government *not* with the police. We realize fully that the police have an honourable and an indispensable role to fulfill in a Democracy. In general it is clear the police must support duly constituted laws but they must do so always with the minimum force necessary to accomplish their

task. We believe that while in response to our march many of the police lived up to the best traditions of their calling, exercising with restraint only such force as was needed to carry out their orders, a significant minority of police appear to have deliberately used completely unnecessary violence on non-violent demonstrators and, in so doing, they betrayed their vocation as policemen. We regard ourselves as in union with those police who fulfilled their job during the march with restraint but we call on these same police to take steps to see that those of their comrades who used unnecessary violence be rebuked and if such conduct continues, dismissed from the force. The police force above all is no place for bullies and those who have a taste for violence. In so far as we are able we are collecting evidence of what we believe to have been incidents of undue force and in due course we will lay these before appropriate bodies. It is our hope that we can enter into a real dialogue with the police on the issues raised by civil disobedience for us and for them.

One final point we think worth making to the police is this. While as we said earlier, in general the police have a duty to enforce laws passed by a duly elected government, that laws have been made by such a government cannot itself be the sole criterion for whether the police

should enforce such laws. Duly elected governments are capable of passing grossly unjust laws and if such laws are or were passed in a Democracy it would become a real question for policemen whether they should enforce such laws. To think otherwise, even if one is a member of the police force, would appear to involve being prepared to hand over one's conscience to others.

In conclusion, much has already been achieved within our university and outside it by the new spirit that is evident there. It is for all of us to see that we conduct ourselves in a way that will extend the good so far achieved and deepen and strengthen our communal life. If we do this we can continue to hope that what the Nicklin government has failed to recognize as just in the past it may be able to recognize as just in the future.

Peter Wertheim

*The views expressed above are the personal views of Mr. Wertheim, who is a member of the Civil Liberties Co-ordinating Committee.*

## BAN ON

### NEWSPAPER PHOTOS

The Courier-Mail and the Telegraph have refused permission to reproduce any photos their cameramen took during last Friday's Civil Liberties march. Sunday Truth will allow reproduction rights only on the photos they have already published, no explanations were given.

Over 320 photos were taken by these newspapers and several of their negatives appear to have mysteriously disappeared.

## OPEN FORUM

### Unusual Honesty

I would like to take this opportunity to thank the kind fellow student who returned my wallet which was lost at the demonstration on Friday September 8th. My brother and I will now be able to eat this week as it contained the "grocery money".

Yours truly,  
Laurel Toogood (Arts I)

Authorised by David Ferguson.

Edited by Nick Booth and Ken Bradshaw.

Business Manager: Dave Murr.

Staff: Terry Rout.  
Bob Neary.

A.M.P. Society  
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## CIVIL LIBERTIES AND DEVIANT BEHAVIOUR

Dr Duncan W.G. Timms,  
Senior Lecturer in Sociology  
Professor-Elect of Sociology, Auckland, N.Z.

Norms, specifications of what is permissible and what is not permissible, vary from culture to culture and from time to time. Each social group, from the family upwards, has its own ideas as to what should be and what should not be. Certain sets of norms, however, by virtue of their connection with those groups who effectively control the legislative and administrative institutions of the society may be considered dominant. It is these which form the basis of law and which direct the way in which the law is enforced.

Norms are rarely precise statements of what should be and what should not be. Instead they delimit a range of more or less tolerated behaviour. Behaviour which falls within these limits is accepted as normal. It is only behaviour which goes beyond them which is subject to sanctions and the label of deviancy. The degree of tolerance which is extended to behaviour varies greatly according to the behaviour concerned and the society making the judgement. Tolerance is an area in which little research has been conducted, but few visitors to Queensland can escape the impression that this State is one of the least tolerant of societies. The amount of eccentricity, either in ideas, behaviours, or appearances, which is tolerated appears to be less in Queensland than in practically any other European society. Indeed, when asked to nominate a set of basic values which could be used to describe Queensland culture, a group of Anthropology and Sociology students placed conformity as one of the three top values, equalled only by conservatism and material comfort. The contrast with a similar set of values said to be basic to American culture, stressing activity, is dramatic. \*

Deviant or non-conformist behaviour is frequently evaluated as bad, as irresponsible, as antisocial. Such a judgement ignores both the relativity of norms - the fact that behaviour which is forbidden in one group may be obligatory in another - and the relationship between deviancy and social change. The society which had no deviance, which tolerated no nonconformity, would be dead. It would have no resources available to enable it to adapt to changing circumstances.

Nonconforming behaviour is not necessarily antisocial, rather it may be functional necessity if the social system is to survive. This is not to advocate unbridled license. Few, for instance, would quarrel with the existence of laws with respect to injuring others or with respect to property. But it is to argue for the greatest possible freedom of discussion and of ideas. Only in this way can the norms themselves keep abreast of the times. The society which allows only one set of ideas to be disseminated, or which gives absolute control of this dissemination to one man or a small group of men is, like the dinosaur, likely to find itself outmoded by the changes which occur around it. And this, it seems to me, is what the Civil Liberties Movement in Queensland is all about. Unless different points of view can be heard and brought together, Queensland may qualify as a museum exhibit rather than a progressive society.

\* See Robin M. Williams, Jr., *American Society*, New York: Alfred A. Knopf, 2nd ed., 1960.

# PUBLIC NOTICE

## THE UNIVERSITY OF QUEENSLAND UNION

REQUESTS ANY PERSON WHO TOOK PHOTOGRAPHS OF, OR WISHES TO GIVE A WRITTEN STATEMENT ABOUT, THE CIVIL LIBERTIES MARCH OF 8TH SEPTEMBER TO CONTACT THE HONORARY SECRETARY, UNIVERSITY OF QUEENSLAND UNION IMMEDIATELY, AS THE MATTER IS URGENT.

Telephone: 71 1611

## THE UNIVERSITY OF QUEENSLAND UNION

SINCERELY WISHES TO THANK THE ORGANIZATIONS AND THE MANY HUNDREDS OF PEOPLE WHO GENEROUSLY DONATED SUMS OF MONEY RANGING FROM 50 CENTS TO TWO HUNDRED DOLLARS TOWARDS "THE CIVIL LIBERTIES MARCH BAIL AND LEGAL AID FUND."

Further donations or enquiries may be directed to

The University of Queensland Union,  
Telephone 71 1611.

Strong pockets of resentment and criticism have been levelled at the incoming President and Executive of the University of Queensland Union for its decision to refrain from marching without a permit in the Civil Liberties march on Friday, 8th September, 1967. Whilst it is understandable that those persons who are morally committed (as the Executive was) on this question have some right to query the incoming President's decision not to march, it must be taken into account that incoming Executive members still had a very strong onus of responsibility upon their shoulders to protect the interests of the Union which they had been elected to administer and supervise and to make sure that they in no way jeopardised its existence not only in 1968 but in future years as well. All Executive members stated that they wanted to march and agreed with the principle of direct action with regards to the fobbing off by the Nicklin Government on the question of the Union's proposals on Civil Liberties. To this extent the incoming Union Executive would have marched and indeed lead (if allowed) had the procession been authorised or taken place under an authorised legal permit. What students who are critical of the President's and Executive's action fail to realise is that the Union within the next six months will undergo crucial talks and negotiations with the

## UNION PAGE

Why  
HUF  
didn't  
march



University Administration as to its legal status and as to whether or not it should be allowed incorporation under the Religious, Educational and Charitable Institutions Act. The process of incorporation virtually means that the Union for the first time, will become a legal entity and will ensure its own autonomy and control and will not be subjected to moves or pressures by the Administration to conform with unnecessary University edicts. The fight for incorporation will be a long and involved one, the result depending upon tactics, negotiation and a firm stand by the Executive of the Union. It was felt by the Executive (and is considered still so) that the Union's chances of incorpor-

ation would in fact be jeopardised if the same members who sit at the Senate table in negotiation were charged and labelled as irresponsible participants in an illegal act by Senate members who are unwilling to analyse or appreciate the Union's role on the question of Civil Liberties change. A strong test of the Executive's willingness to help was the fact that when the 3,500 students out of the 3,900 who marched had gone to their homes on Friday night unaware of the resulting implications of the day's march there was an Executive willing to organise the long and involved processes of collecting public subscriptions (\$1,400 worth) and organising bail for those students arrested. The Union President, Mr. Alf Nucifora, spent six hours in the city watch-house bailing out 114 students and was assisted by both Mr. Ian Story and Mr. Vince FitzGerald who remained until 3.00 a.m. Saturday morning to see that students would be released as quickly as possible and that a minimum of inconvenience to themselves and to the many anxious parents waiting outside.

It would seem that the question in the Executive's mind was one of protection of the Union's right to exist as an autonomous body in the future and the possibility of jeopardising its very existence alone.

## What the Union is doing

Many people have asked what action the Union is going to take over the Civil Liberties issue in the future. The enquiries should be answered with the information below.

1. An Emergency Meeting of the U.Q.U. Executive was held on Monday, 11th September, at which it was decided to "hold a public forum in King George Square on Friday 15th September and to apply for a permit to hold such a meeting." Speakers at this rally will come from all walks of life and will present their case on the state of Civil Liberties in Queensland.

2. It was decided at the Emergency Executive Meeting to organize a public discussion on the Union's Traffic Regulation Submissions to the Premier. This discussion will be held on 22nd September in the University Relaxation Hall at 7.00 p.m.

Members of the Government and Her Majesty's Loyal Opposition, the Police Force, The University Senate, Religious Leaders, Business leaders, the President of the National Union of Australian University Students and U.Q.U. representatives have been invited to address the meeting.

The public is invited to this open discussion.

3. An Extraordinary Meeting of the 57th University of Queensland Union Council has been called for 1.10 p.m. Thursday 14th September.

The aims are to :-

(a) give the Union Executive specific directives in regard to the Union's participation in any illegal marches.

(b) set up a Union Civil Liberties Committee, consisting of the President of the Union, 3 voting Union Council members and 2 other Union members (staff or students).

The Union Committee will be responsible for:

(a) distributing of U.Q.U.'s submissions on the proposed Traffic Regulation changes to all Parliamentarians, lawyers, church leaders, community leaders

(b) supplying speakers on the Union's point of view to outside groups

(c) the management of the University of Queensland Union Legal Aid Fund

(d) the tactics of the Union on future Civil Liberties action

(e) the general running of the Union's campaign on the Civil Liberties issue.

4. At the time of going to press, the University of Queensland Union President Mr. A.J. Nucifora is seeking permission to resubmit the Union's original proposals for amending the Traffic Regulation to the Premier, Mr. Nicklin.

5. Mr. Houston, Leader of the Opposition, met Mr. Nucifora at 8.00 a.m. on Tuesday 12th September. Mr. Houston pledged the Union his full support in Parliament.

6. The University of Queensland Union will support any major appeal cases which may arise from the March of 8.9.67. The Union has set up the "U.Q.U. Legal Aid Fund" for the specific purpose of providing fighting funds for arrested students.

All donations to this fund should be addressed:

University of Queensland Union Legal Fund,  
C/- Honorary Treasurer,  
University of Queensland Union,  
ST. LUCIA ... 4067.

The Union is the only body authorized to finance the court cases.

7. The Union is sponsoring three speakers to go to all Southern Universities to speak on the submissions to the Premier and to raise funds for court cases. Funds raised will go to the U.Q.U. Legal Aid Fund.

8. At a meeting of 2,000 students at the University on Monday 11th September, the following motion was passed unanimously with acclamation :-

THAT THIS MEETING -

DETERMINED that the rights of minority groups in a democratic society must be adequately protected and convinced that the present legal and administrative position in Queensland is quite inadequate for this purpose;

BELIEVING that under certain special circumstances the normal channels of submission and negotiation in a democratic society can break down;

STATES that it would again be prepared to use Civil Disobedience methods such as those used by over 3,500 students and staff of the University of Queensland on September 8, 1967.

1,900 students' signatures have been obtained. These petitions will be kept in the Union's vault for future use as a threat of direct action if negotiation takes place.

9. Telegrams and letters have been sent to all Universities in Australia explaining the U.Q.U. position and asking for support.

All Universities have responded giving their full support to our actions.

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& 2 p.m.

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